

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AMBERLYN STOREY,

Plaintiff,

v.

CATHY WEYLAND and JENNIFER  
SECORD,

Defendant.

CASE NO. 3:19-cv-05733-RBL

ORDER GRANTING IFP STATUS

THIS MATTER is before the Court on Plaintiff Amberlyn Storey's Motion for Leave to Proceed *in forma pauperis* [Dkt. #1].

A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). A court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripathi v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis* complaint

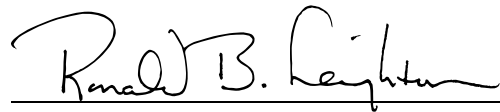
1 is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v. Dawson*, 778  
2 F.2d 527, 529 (9th Cir. 1985); *see also Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir. 1984).

3 Here, Storey has limited income derived entirely from government assistance and has  
4 made a sufficient showing of indigency to warrant IFP status. In addition, Storey’s allegations of  
5 retaliatory eviction and discrimination do not appear facially frivolous or without merit.

6 Accordingly, Storey’s Motion to Proceed *in forma pauperis* [Dkt. #1] is GRANTED.

7 IT IS SO ORDERED.

8 Dated this 16<sup>th</sup> day of August, 2019.

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11 Ronald B. Leighton  
12 United States District Judge  
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